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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte BLAKE EARL HAYWARD

Appeal 2009-007269
Application 09/661,589
Technology Center 2400

Before JOSEPH L. DIXON, ST. JOHN COURTENAY III, and
THU A. DANG, *Administrative Patent Judges*.

DANG, *Administrative Patent Judge*.

DECISION ON APPEAL¹

¹ The two-month time period for filing an appeal or commencing a civil action, as recited in 37 C.F.R. § 1.304, or for filing a request for rehearing, as recited in 37 C.F.R. § 41.52, begins to run from the “MAIL DATE” (paper delivery mode) or the “NOTIFICATION DATE” (electronic delivery mode) shown on the PTOL-90A cover letter attached to this decision.

I. STATEMENT OF THE CASE

Appellant appeals from the Examiner's final rejection of claims 29, 31-34, and 36-38 under 35 U.S.C. § 134(a) (2002). Claims 1-28, 30 and 35 have been canceled. We have jurisdiction under 35 U.S.C. § 6(b).

We reverse.

A. INVENTION

According to Appellant, the invention relates to providing online verification and fraud prevention services for business clients and individual users (Spec. 1).

B. ILLUSTRATIVE CLAIM

Claim 29 is exemplary and is reproduced below:

29. A system for fraud prevention by authenticating a user at a first Internet site, comprising:

an Internet-connected verification server for performing the authentication; and

an Internet-connected appliance operable by the user for sending a request for authentication to the first Internet site;

wherein the user specifies a second and third Internet site not associated with the first Internet site and known to the user as capable of accepting the user's username-password pair included in the request for authentication and a username-password pair for the user, and the server, in response to the request, causes automatic navigation to the second and third sites and attempts a login on behalf of the user with the username-password pair, successful login at the second and third sites allowing authentication of the user at the first Internet site.

C. REJECTION

The prior art relied upon by the Examiner in rejecting the claims on appeal is:

Hunt US 6,496,855 B1 Dec. 17, 2002

Claims 29, 31-34, and 36-38 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Hunt.

II. ISSUE

Has the Examiner erred in concluding that Hunt would have suggested an Internet-connected appliance for “sending a request for authentication to the first Internet site” wherein the server, “in response to the request, causes automatic navigation to the second and third sites” and “successful login at the second and third sites allowing authentication of the user at the first Internet site” (claim 29)? In particular, the issue turns on whether Hunt would have suggested causing automatic navigation to other sites in response to a request to authenticate at a first site, wherein successful login at the other sites allows authentication at the first site.

III. FINDINGS OF FACT

The following Findings of Fact (FF) are shown by a preponderance of the evidence.

Hunt

1. Hunt provides a Registration Agent Site (RAS) which presents an intermediary between sites and Internet users that acts as a single source of data entry, user name and password for users, wherein users

can register with new sites automatically and move between registered sites via a single interface (col. 3, ll. 31-36).

2. For managing the registration, the method comprises gathering registration data for a service computer and storing the registration data on a registration agent computer, and in response to a request from a user to the registration agent computer to register the user with the service computer, transmitting registration information from the registration agent computer to the service computer (col. 9, l. 52 to col. 10, l. 6).
3. In particular, the user enters the username and password for the RAS and selects the option that says that the user is already a member of the referring site, wherein a new page appears with a request for the user's current login details for the referred site and the user's RAS home page then appears showing the referring site as a registered site (col. 8, l. 63 to col. 9, l. 4).

IV. ANALYSIS

Appellant argues that “the teachings of Hunt provided by the Examiner fails to read on a fraud prevention system, as claimed” because “Hunt provides a system to prevent a user from receiving spam in the email and provides easy log-in at a plurality of a user's registered Web sites” (App. Br. 7). Further, Appellant argues that “Hunt also fails to teach using successful log-in at the second and third sites allowing authentication at the first site” (*id.* at 9) because there is no suggestion of “verification at the first site depending upon successful verification of the same user at the other two sites” (*id.* at 10).

The Examiner finds that “Hunt clearly teaches a fraud prevention system” since the cited portions of Hunt “teach verifying a user identity and password” wherein Hunts requires “login before the RAS can transfer site login details” (Ans. 6). The Examiner further finds that “[t]he [claimed] first Internet site is the targeted web site [in Hunt] that the user wishes to register or be authenticated at” and “[t]he second and third sites are the sites that confirm the identity such as a RAS site” (*id.* at 7). Thus, according to the Examiner, “[t]he Hunt reference’s teachings render the claim limitation unpatentable... because the Hunt reference shows a user logs into a first site, the RAS system, and then registers or logs into other sites specified by the user” (*id.*).

After reviewing the record on appeal, we agree with Appellant that there is no suggestion of “verification at the first site depending upon successful verification of the same user at the other two sites” (App. Br. 10). That is, we cannot find any teaching or suggestion in the portions of Hunt cited by the Examiner of an Internet-connected appliance for “sending a request for authentication to the first Internet site” wherein the server, “in response to the request, causes automatic navigation to the second and third sites” and “successful login at the second and third sites allowing authentication of the user at the first Internet site” as required by claim 29.

Hunt discloses a RAS which acts as a single source of data entry for user name and password, wherein users can register with new sites automatically and move between registered sites via a single interface (FF 1). In Hunt, registration data for a service computer is gathered and stored on the RAS, and in response to a request from a user to the RAS to register

the user with the service computer, registration information is transmitted from the RAS to the service computer (FF 2-3).

Though we agree with the Examiner that Hunt teaches “a fraud prevention system” since Hunt teaches “verifying a user identity and password” (Ans. 6), we find that the portions of Hunt referenced by the Examiner do not suggest any teaching of automatic navigation to other sites in response to a request to authenticate at a first site, wherein successful login at the other sites allows authentication at the first site. Thus, even if we were to interpret that “[t]he [claimed] first Internet site is the targeted web site [in Hunt] that the user wishes to register or be authenticated at” and “[t]he second and third sites are the sites that confirm the identity such as a RAS site” as set forth by the Examiner (*id.* at 7), there is no suggestion of automatic navigation to second and third sites in response to a request to authenticate at a first site, or authentication at the first site based on successful login at the second and third sites.

As such, we will reverse the rejection of representative claim 29 and claims 31-34 and 36-38 falling therewith.

V. CONCLUSION AND DECISION

Appellant has shown that the Examiner erred in holding claims 29, 31-34, and 36-38 unpatentable under 35 U.S.C. § 103(a). Accordingly, we have not sustained the Examiner’s rejection with respect to any claim on appeal. Therefore, the Examiner’s decision rejecting claims 29, 31-34, and 36-38 is reversed.

Appeal 2009-007269
Application 09/661,589

REVERSED

llw

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